

**SUPREME COURT MINUTES
WEDNESDAY, MAY 12, 1999
SAN FRANCISCO, CALIFORNIA**

S070418 Washington Mutual Bank, Petitioner
4th Dist. v.
G023218 Orange County Superior Court, Respondent
Div. 5 Jayne A. Briseno et al., Real Parties in Interest
Petition for review GRANTED.

George, C.J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077112 People, Respondent
2nd Dist. v.
B121090 Gustavo Rodriguez et al., Appellants
Div. 5 Respondent's petition for review GRANTED. Appellants'
petitions for review denied.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Thomas*, S075090 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077185 People, Respondent
3rd Dist. v.
C025971 Forrest Ray Wright, Appellant
 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Williams*, S076262 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077219 Daniel Griset et al., Appellants
4th Dist. v.
G018853 Fair Political Practices Commission, Respondent
Div. 3 Petition for review GRANTED.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Brown, J.

S077240 People, Respondent
4th Dist. v.
D028459 Richard Lane Ruse, Appellant
Div. 1 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Duarte*, S068162 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077289 Randolph Lee, Petitioner
2nd Dist. v.
B126521 Los Angeles County Superior Court, Respondent
Div. 1 People, Real Party in Interest
Petition for review GRANTED.

The issue to be argued before this court shall be limited to whether one can violate Penal Code section 529 by falsely impersonating a relative who, in fact, is deceased.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077400 People, Respondent
2nd Dist. v.
B117372 Hector Anthony Rivera, Appellant
Div. 7 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Parker*, S077360, and *People v. Baltazar*, S075450 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Appellant's petition for review is denied.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077469 In re Abigail Odam on Habeas Corpus
4th Dist. -----
D028490 People, Respondent
D029822 v.
Div. 1 Abigail Odam, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Williams*, S066106 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S072697 In re Desire M., Petitioner

on
Habeas Corpus

The Director of Corrections is ordered to show cause before the Court of Appeal, First Appellate District, Division Two, when the matter is ordered on calendar, why the relief prayed for should not be granted. The written return shall be served and filed on or before May 27, 1999.

George, C.J.
Mosk, J.
Werdegar, J.
Chin, J.

2nd Dist. Rodney Scott Pearl, Petitioner
B125991 v.
Div. 6 Workers' Compensation Appeals Board, Respondent
S076914 Cal Poly State University, Respondent
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its order denying review and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C.J.
Mosk, J.
Werdegar, J.
Chin, J.
Brown, J.

2nd Dist. Time Warner Entertainment Company et al., Petitioners
B128752 v.
Div. 4 Los Angeles County Superior Court, Respondent
S077106 Gene Shaffer et al., Real Parties in Interest
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

Robert W. Roth's application to appear as counsel *pro hac vice* is denied as moot.

George, C.J.
Mosk, J.
Baxter, J.
Chin, J.
Brown, J.

4th Dist. People, Respondent
E021921 v.
Div. 2 Stephen Charles Allen, Appellant
S076872 Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to correct the abstract of judgment with respect to the enhancements specified as having been charged and found true in relation to Counts 1 and 7 and with respect to the descriptions of the offenses in Counts 3 and 6 and to consider whether the sentence for the offense of which defendant was convicted in Count 3 was authorized. (See Reporter's Transcript at pages 945, 947, 974; Clerk's Transcript at pages 451, 575, 583, 598; Health & Saf. Code, § 11357, subdivision (b).)

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S065893 Margaret Mueller et al., Appellants

2nd Dist.
B108322

v.

Saint Joseph Medical Center et al., Respondents

The above-entitled cause is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *Delaney v. Baker* (1999) 20 Cal.4th 23.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Brown, J.

S057197

In re Adoption of Haley A., a Minor

Mark A. et al., Respondents

v.

Elizabeth L., Appellant

Respondents' request to take judicial notice of the trial court's order filed April 27, 1999, is granted.

Kennard, J., and Chin, J., did not participate.

George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Brown, J.

S053888
2nd Dist.
B089833
Div. 1

Alacoque Colette Kelly, Appellant

v.

Methodist Hospital of Southern California et al., Respondents

Construed as a request that review in the above entitled action be dismissed (Cal. Rules of Ct., rule 29(c)) and that the Court of Appeal's opinion be ordered published (*id.*, rule 976(d)), the suggestions to that effect by defendant Methodist Hospital of

Southern California are denied.

The court will not hear argument on the following issues (Cal. Rules of Ct., rule 29.2(b)): (1) whether defendant breached a contractual obligation by discharging plaintiff (see Appellant's Opening Brief (AOB), at pp. 38-44; Respondents' Brief on the Merits (RB), at pp. 41-46); (2) whether a supervisory employee can be personally liable under FEHA or for wrongful discharge in violation of public policy (see AOB, at p. 18; RB, at pp. 29-30; see generally *Reno v. Baird* (1998) 18 Cal.4th 640); (3) whether the statute of limitations bars plaintiff's suit (see RB, at pp. 14-15; Appellant's Reply Brief, at pp. 6-7); (4) whether plaintiff may state a cause of action for wrongful termination in violation of public policy (see generally *Tameny v. Atlantic Richfield Co.* (1980) 27 Cal.3d 167) based on the policy against age discrimination expressed in the Age Discrimination in Employment Act (29 U.S.C. § 621 et seq.; see AOB, at pp. 23-24; RB, at pp. 12-14).

S061492
1st Dist.
A077424
Div. 4

Local Union No. 595, International Brotherhood of
Electrical Workers et al., Petitioners

v.

San Francisco County Superior Court, Respondent
Lloyd W. Aubry, Jr., Director of the California Department
of Industrial Relations, Real Party in Interest

In view of the Motion for Reconsideration filed by petitioners on April 26, 1999, requesting clarification of the order of this court filed on April 21, 1999, the April 21, 1999 order is modified to read as follows:

"The motion of real party in interest to dismiss review, filed on March 26, 1999, and supported by petitioners in a statement filed on March 29, 1999, is granted. Because the recent developments that warrant dismissal of review do not resolve the merits of the legal issue presented in this mandate proceeding, neither party shall be considered the prevailing party in this writ proceeding and each party shall bear its own costs in this proceeding." Pursuant to rules 26(a) (4) and 56.4(b) of the California Rules of Court, the issue whether either is entitled to attorney fees shall be determined by the trial court.

- S075527 In re Kevin Cooper
 on
 Habeas Corpus
 Motion for clarification of rulings DENIED.
- S063512 People, Plaintiff and Respondent
 v.
 John David Williams, Defendant and Appellant
 BY THE COURT:
 Opinion modified. This modification changes the judgment.
- S063512 People, Plaintiff and Respondent
 v.
 John David Williams, Defendant and Appellant
 Petition for rehearing DENIED.
- S077924 Matthew Peter Bowin, Petitioner
 v.
 Sixth District Court of Appeal, Respondent
 People, Real Party in Interest
 Petition for mandate and request for stay DENIED.
- 1st Dist.
A074728 People, Respondent
Div. 4 V.
S077718 William Gordon Barhard, Appellant
 Appellant's petition for review DENIED.
- 1st Dist.
A076387 People, Respondent
Div. 5 v.
S076932 David Michael Graves, Appellant
 Appellant's petition for review DENIED.
- 1st Dist.
A080841 Adolfo Alan et al., Appellants
Div. 4 v.
S077921 Richard J. Stapleton, Respondent
 Appellants' petition for review DENIED.

1st Dist. People, Respondent
A081145 v.
Div. 5 Michael McGavock, Appellant
S076977 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A082045 v.
Div. 1 Mario Jose Taylor, Appellant
S077786 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A082057 v.
Div. 4 David W. Elmore, Appellant
S076979 Appellant's petition for review DENIED.

1st Dist. People, Appellant
A082151 v.
Div. 5 Robert Angelo Pizzagrani, Respondent
S077306 Respondent's petition for review DENIED.

1st Dist. People, Appellant
A082163 v.
Div. 2 Charles Marshal Bonds, Respondent
S077348 Respondent's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent
A082401 v.
Div. 5 Chayne Edwin Irvin, Appellant
S077823 Appellant's petition for review DENIED.

1st Dist. Poland Pitre, Sr., Appellant
A082563 v.
Div. 1 Scott Company of California et al., Respondents
S076178 Petition for review DENIED.
The request for an order directing publication of the opinion is also DENIED.

1st Dist. A081791 A084032 Div. 5 S077811	In re Arturo E. Figueroa on Habeas Corpus ----- People, Respondent v. Arturo E. Figueroa, Appellant Appellant's petition for review DENIED.
1st Dist. A084543 Div. 5 S077385	Transamerica Homefirst Inc., Petitioner v. San Mateo County Superior Court, Respondent San Mateo County Public Guardian, etc., Real Party in Interest Petition for review DENIED.
1st Dist. A085364 Div. 3 S077888	Larry E. Haag, Petitioner v. San Mateo County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
1st Dist. A085809 Div. 3 S077707	County of Alamed ex rel. Sheila Rae Smith, Respondent v. Terry Louis Carter, Appellant Appellant's petition for review DENIED.
1st Dist. A086212 Div. 5 S077709	Steven McNichols, Petitioner v. San Francisco County Superior Court, Respondent Trinity Management Services Inc., Real Party in Interest Petition for review DENIED.
2nd Dist. B099817 Div. 7 S077445	Southern California Physicians Insurance Exchange, Respondent v. William Kirksey & Associates Agency Inc., Appellant Scpie Management Company et al., Respondents Petitions for review DENIED.
2nd Dist. B102747 Div. 1 S077781	Ashley Hill, Appellant v. St. Andrew's Abbey et al., Respondents Appellant's petition for review DENIED.
2nd Dist.	People, Respondent

B107100 v.
Div. 1 Jesse James Satterfield, Appellant
S077205 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B111143 v.
Div. 3 Akanni Kendalla, Appellant
S077704 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B112380 v.
Div. 3 Philbert Richard Stevens, Appellant
S078200 Petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Topanga Association for a Scenic Community et al., Appellants
B113639 v.
Div. 6 California Coastal Commission et al., Respondents
S077143 Mark Jason et al., Real Parties in Interest
Appellants' petition for review DENIED.

2nd Dist. Paul Bashkin, Appellant
B113708 v.
Div. 5 Lewis Koss et al., Respondents
S077688 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B113889 v.
Div. 1 Dennis Roland Dawley et al., Appellants
S077089 Appellants' petition for review DENIED.

2nd Dist. Andrew Fischer et al., Respondents
B114232 v.
Div. 3 Los Angeles Unified School District et al., Appellants
S077818 Petition for review DENIED.
The request for an order directing depublication of the opinion is
DENIED.

2nd Dist. B114450 Div. 5 S077478	County of Los Angeles, Respondent v. Frontier Pacific Insurance Co., Appellant Petition for review DENIED.
2nd Dist. B114882 Div. 4 S077719	Sentech Electronics Inc. et al., Respondents v. Charles B. Tillson, Appellant Respondents' petition for review DENIED.
2nd Dist. B115311 Div. 4 S077647	People, Respondent v. Norris E. Benson, Jr., Appellant Appellant's petition for review DENIED.
2nd Dist. B115516 Div. 2 S077253	People, Respondent v. William Taylor III, Appellant Appellant's petition for review DENIED.
2nd Dist. B115898 Div. 6 S077063	People, Respondent v. Victor Manuel Rodriguez, Appellant Appellant's petition for review DENIED.
2nd Dist. B117932 Div. 7 S077913	People, Respondent v. Marcus C. Sanders, Appellant Petitions for review DENIED.
2nd Dist. B118126 Div. 6 S077953	People, Respondent v. Jerry E. Smith, Appellant Appellant's petition for review DENIED.
2nd Dist. B118291 Div. 1 S077808	William J. Kelleher, Appellant v. 20th Century Insurance Co., Respondent Appellant's petition for review DENIED.

2nd Dist. B118472 Div. 2 S077421	People, Respondent v. Enrique Diaz, Appellant Appellant's petition for review DENIED.
2nd Dist. B118846 Div. 4 S077918	People, Respondent v. Stacy Drayton, Appellant Appellant's petition for review DENIED.
2nd Dist. B119074 Div. 7 S077826	People, Respondent v. Timothy Warren, Appellant Appellant's petition for review DENIED.
2nd Dist. B119086 Div. 7 S077937	David W. Ramey et al., Respondents v. California Coastal Commission, Respondent Harold Eide et al., Appellants Petition for review DENIED. The request for an order directing publication of the opinion in the above entitled cause is DENIED.
2nd Dist. B119108 Div. 3 S077671	People, Respondent v. Nathan Thomas, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
2nd Dist. B119164 Div. 1 S077898	Estates of Clyde E. Blosser et al., Appellants v. Bank of America, Appellant Petition for review and request for depublication DENIED. Baxter, J., and Chin, J., did not participate.
2nd Dist. B119453 B123569 Div. 3 S077812	People, Respondent v. Julian Gerard Hill, Appellant ----- In re Julian Gerard Hill on Habeas Corpus Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B119510 v.
Div. 4 Kuldip Singh Sukhija, Appellant
S076901 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119750 v.
Div. 7 Kenneth Wayne Brown, Appellant
S077663 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119771 v.
Div. 7 John Chester Stove, Appellant
S077809 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119934 v.
Div. 7 Conny Glenn Wade, Appellant
S077851 Appellant's petition for review DENIED.

2nd Dist. Ramon Kuzbicki, Appellant
B119966 v.
Div. 3 Harward A. Stearns et al., Respondents
S077640 Appellant's petition for review DENIED.

2nd Dist. Metro-Goldwyn-Mayer Incorporated, Appellant
B120387 v.
Div. 5 The Walt Disney Company, Respondent
S077482 Appellant's petition for review DENIED.
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. People, Respondent
B121124 v.
Div. 7 Leonard L. Lara, Appellant
S077453 Petitions for review DENIED.

2nd Dist. Fareed Cassim et al., Petitioners
B121196 v.
Div. 7 Los Angeles County Superior Court, Respondent
S077720 Allstate Insurance Company, Real Party in Interest
 Petition for review DENIED.

2nd Dist. Kirsten Fox, Appellant
B121218 v.
Div. 5 State of California et al., Respondents
S077484 Petition for review DENIED.
 The request for an order directing publication of the opinion in
 the above entitled cause is DENIED.

2nd Dist. People, Respondent
B121312 v.
Div. 1 Marvin Glen Hollis, Appellant
S077670 Appellant's petition for review DENIED.
 Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B121444 v.
Div. 1 Michael Gipson, Appellant
S077964 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B121805 v.
Div. 4 Chad Landrum, Appellant
S076725 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B121813 v.
Div. 4 Carlos Silva, Appellant
S077797 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B123067 v.
Div. 1 Brian Keith Dent, Appellant
S077665 Appellant's petition for review DENIED.

2nd Dist. People, Appellant
B123081 v.
Div. 1 William Louis Lynch, Respondent
S076966 Appellant's petition for review DENIED.
Chin, J., and Brown, J., are of the opinion the petition should be granted.

2nd Dist. People, Respondent
B123182 v.
Div. 6 Jimmy Ray Hernandez, Appellant
S077789 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B123304 v.
Div. 5 Keith Jackson, Appellant
S077676 Respondent's petition for review DENIED.

2nd Dist. Viarooj Abramian, Appellant
B124273 v.
Div. 7 Clarendon National Insurance Co., Respondent
S077515 Petition for review DENIED.

2nd Dist. Gil Garcetti, Petitioner
B125577 v.
Div. 2 Los Angeles County Superior Court, Respondent
S077967 Walter Kise, Real Party in Interest
Real Party in Interest's petition for review DENIED.

2nd Dist. Century National Insurance Company et al., Petitioners
B126002 v.
Div. 1 Los Angeles County Superior Court, Respondent
S07716 Macrine Garlejo, Real Party in Interest
Real Party in Interest's petition for review DENIED.
The request for an order directing publication of the opinion in the above entitled cause is DENIED.

2nd Dist. Melodie Kleiman, Petitioner
B128077 v.
Div. 6 Workers' Compensation Appeals Board, Respondent
S077940 County of Ventura, Respondent
Petition for review DENIED.

2nd Dist. B128255 Div. 3 S077649	Julian Ayrs, Appellant v. Estate of Esther Silvey et al., Respondents Petition for review DENIED.
2nd Dist. B128532 Div. 3 S077609	Steven Springer, Petitioner v. Workers' Compensation Appeals Board, Respondent Anthony Cooper, Respondent Petition for review DENIED.
2nd Dist. B129170 Div. 6 S077040	Lang Nevers & Palazzo, Petitioner v. Ventura County Superior Court, Respondent Jim Sims, Real Party in Interest Petition for review and request for stay DENIED.
2nd Dist. B129700 Div. 5 S077862	In re Larry Z. et al. on Habeas Corpus Petition for review DENIED.
2nd Dist. B129704 Div. 5 S077740	In re Bruce Wells on Habeas Corpus Petition for review DENIED.
2nd Dist. B129884 Div. 5 S077457	In re Thomas Eugene Greenwood on Habeas Corpus Petition for review DENIED on the merits.
2nd Dist. B130080 Div. 7 S077687	In re Michael Walker on Habeas Corpus Petition for review DENIED.

2nd Dist. Merrill Ricciardi, Petitioner
B130514 v.
Div. 5 Los Angeles County Superior Court, Respondent
S077956 People, Real Party in Interest
 Petition for review DENIED.

2nd Dist. Dionne Reonda Henderson, Petitioner
B130542 v.
Div. 7 Los Angeles County Superior Court, Respondent
S077965 People, Real Party in Interest
 Petition for review DENIED.

3rd Dist. Ella Mae Robertson, Petitioner
C026382 v.
S077012 Sacramento County Superior Court, Respondent
 People, Real Party in Interest
 Petition for review DENIED.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed January 29, 1999, which appears at 69 Cal.App.4th 858. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

Baxter, J., and Brown, J., are of the opinion the petition should be granted.

3rd Dist. People, Respondent
C026807 v.
S077683 Robert William Mattarolo, Appellant
 Appellant's petition for review DENIED.

3rd Dist. Robert Henkel et al., Appellants
C027874 v.
S077905 Kay T. Wallace et al., Respondents
 Appellants' petition for review DENIED.

3rd Dist. People, Respondent
C027909 v.
S077708 Jack Ray Dorsey, Appellant
 Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028028 v.
S077744 Gary Alexander Harris, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028062 v.
S077819 John Patrick McGuire, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028093 v.
S077896 Santiago Jimmy Cruz, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. Estate of Allyn Tar Bush, Deceased
C028257 -----
S077308 Ardynne J. Tar Bush et al., Petitioners
v.
Workers' Compensation Appeals Board et al., Respondent
Petition for review DENIED.

3rd Dist. People, Respondent
C028332 v.
S077304 Steven Ray Perridon, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C028426 v.
S077094 Reta Gale Orner, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028617 v.
S077939 Adam Kay Gandy, Appellant
Appellant's petition for review DENIED.

3rd Dist. Karen Keating Jahr, Respondent
C028749 v.
S077975 George Casebeer et al., Appellants
Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C028811 v.
S077669 Michael David Anthony, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C029068 v.
S077765 Bryon Gene Pitlock, Appellant
Appellant's petition for review DENIED.

3rd Dist. In re Erin E., a Person Coming Under the Juvenile Court Law
C029500 -----
S077655 Tehama County Department of Social Services, Respondent
v.
Nicola E., Appellant
Petition for review DENIED.

3rd Dist. Julie Hegdahl, Appellant
C029534 v.
S077957 Sacramento Coca-Cola Bottling Company et al., Respondents
Appellant's petition for review DENIED.
Baxter, J., did not participate.

3rd Dist. In re Ricardo H., a Person Coming Under the Juvenile Court Law
C030413 -----
S077980 Sacramento County Department of Social Services, Respondent
v.
Willie P., Appellant
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032110 v.
S077933 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032111 v.
S077934 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032113 v.
S077701 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032114 v.
S077932 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032115 v.
S077702 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032215 v.
S077935 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032218 v.
S077960 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032219 v.
S077959 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032221 v.
S077961 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C032222 v.
S077963 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

4th Dist. Christopher G. Coulter, Respondent
D026664 v.
Div. 1 Connie D. Zimmerman et al., Appellants
S077973 Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D027484 v.
Div. 1 Kevin C. Baruxes, Appellant
S077346 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D027616 v.
Div. 1 Andre Lamai Burks, Appellant
S077772 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D028188 v.
Div. 1 Candelario Salazar Gonzalez, Appellant
S077848 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D028662 v.
Div. 1 James Riviera, Appellant
S077364 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D028916 v.
Div. 1 Charles Patrick Lucero, Appellant

S077338 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. In re Edward Shell on Habeas Corpus
D029077 -----
D030457 People, Respondent
Div. 1 v.
S077366 Edward Shell, Appellant
Appellant's petition for review DENIED.

4th Dist. People, Respondent
D029512 v.
Div. 1 Cornell L. Jordan, Appellant
S077514 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D029588 v.
1st Dist. Danielle Barcheers, Appellant
S077379 Respondent's petition for review DENIED.
Baxter, J., and Brown, J., are of the opinion the petition should
be granted.

4th Dist. People, Respondent
D029776 v.
Div. 1 Richard Luken, Appellant
S077724 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
D030536 v.
Div. 1 Rorrick Smith, Appellant
S077780 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D030544 v.
Div. 1 Terry Dwayne Ramsey, Appellant
S077738 Appellant's petition for review DENIED.

4th Dist. Continental Venture Capital, Ltd., Petitioner
D032900 v.
Div. 1 San Diego County Superior Court, Respondent
S077943 TCEP II Properties, a Limited Partnership, Real Party in Interest

Petition for review DENIED.

4th Dist. Greg Benson, Petitioner
D032983 v.
Div. 1 San Diego County Superior Court, Respondent
S077995 Monika Benson, Real Party in Interest
Petition for review DENIED.

4th Dist. Comtec International Incorporated, Petitioner
D033051 v.
Div. 1 San Diego County Superior Court, Respondent
S077831 John Brent et al., Real Parties in Interest
Petition for review DENIED.

4th Dist. In re Tracey Murille Waldron on Habeas Corpus
E019487 -----
E022606 People, Respondent
Div. 2 v.
S077381 Tracey Murille Waldron, Appellant
Petition for review DENIED.

4th Dist. People, Respondent
E019692 v.
Div. 2 Cleveland Eugene Lindley, Appellant
S077774 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
E020138 v.
Div. 2 Raymond Eddie Esquibel, Appellant
S077077 Appellant's petition for review DENIED.

4th Dist. Betty Plattner, Appellant
E020878 v.
Div. 2 City of Riverside, Respondent
S077160 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020945 v.
Div. 2 Derrick L. Harvey, Appellant
S077868 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021099 v.
Div. 2 Adrian Rodriguez, Appellant
S077715 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021214 v.
Div. 2 Andy Phillip Magana, Appellant
S077368 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Appellant
E021223 v.
Div. 2 Henry Dwayne Neeley III, Appellant
S077881 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021560 v.
Div. 2 Derrick C. Dominguez, Appellant
S077344 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021688 v.
Div. 2 Luis Barreto Hassan, Appellant
S077705 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021733 v.
Div. 2 Joseph Peace, Jr., Appellant
S077312 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021928 v.
Div. 2 Bruce Phillippi II, Appellant
S077817 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021980 v.
Div. 2 Javier Andre Sandoval, Appellant
S077877 Appellant's petition for review DENIED.

4th Dist. People, Respondent

E022610 v.
Div. 2 Anthony Lee Faulk, Appellant
S077894 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E022758 v.
Div. 2 Alan R. Dohner, Appellant
S077758 Appellant's petition for review DENIED.

4th Dist. Devin Edwards Sr., Petitioner
E024291 v.
Div. 2 San Bernardino County Superior Court, Respondent
S077836 Maria Vargas et al., Real Parties in Interest
 Petition for review DENIED.

4th Dist. In re Jason Rivera
E024314 on
Div. 2 Habeas Corpus
S077460 Petition for review DENIED.

4th Dist. James B. Boyd, Petitioner
E024490 v.
Div. 2 Riverside County Superior Court, Respondent
S077597 Robert Horine, Real Party in Interest
 Petition for review DENIED.

4th Dist. Howard Karloff, Petitioner
E024844 v.
Div. 2 Riverside County Superior Court, Respondent
S078672 Kathleen Bowen-Karloff, Real Party in Interest
 Petition for review and request for stay DENIED.

4th Dist. James Trear, Appellant
G016875 v.
Div. 3 Judith Sills, Respondent
S077613 Appellant's petition for review DENIED.

4th Dist. Jerry O. Smith et al., Appellants
G018209 v.
Div. 3 Golden Eagle Insurance Company et al, Respondents
S077652 Appellants' petition for review DENIED.

The request for an order directing depublication of the opinion is also DENIED.

4th Dist. Sharon Bierbower, Appellant
G018307 v.
Div. 3 FHP Incorporated, Respondent
S077759 Appellant's petition for review DENIED.

4th Dist. Euna Dennee Segerstrom, Appellant
G018390 v.
Div. 3 C. J. Segerstrom & Sons et al., Respondents
S077874 Appellant's petition for review DENIED.
The request for an order directing publication of the opinion is also DENIED.
Mosk, J., is of the opinion the petition should be granted.

4th Dist. Hanspeter Denzler, Appellant
G018647 v.
Div. 3 Irwin Gellman, Appellant
S077936 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G019577 v.
Div. 3 Felix Delgado et al., Appellants
S077904 Appellants' petition for review DENIED.

4th Dist. Estate of Deceased Anthony Bonaccorsi
G019597 -----
Div. 3 Joseph A. Ricca, Appellant
S077183 v.
Salvatore Bonaccorsa et al., Respondents
Petition for review DENIED.

4th Dist. Amplicon Incorporated, Respondent
G019798 v.
Div. 3 B. Green and Company Incorporated, Appellant
S077929 Appellant's petition for review DENIED and request for judicial notice DENIED.

4th Dist. People, Respondent
G020538 v.
Div. 3 Robert Dylan Wofford, Appellant

S077181 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G020913 v.
Div. 3 Abel Perez, Appellant
S076958 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G021359 v.
G022150 Richard Garcia, Appellant
Div. 3 Appellant's petition for review DENIED.
S077735 Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent
G021828 v.
Div. 3 Randall Timothy Hall, Appellant
S077209 Appellant's petition for review DENIED.

4th Dist. People, Respondent
G022586 v.
Div. 3 Joe Julio Alcarez, Appellant
S077893 Appellant's petition for review DENIED.

4th Dist. Silk Adler & Colvin et al., Petitioners
G024811 v.
Div. 3 Orange County Superior Court, Respondent
S077714 Met-Rx USA Inc., et al., Real Parties in Interest
Petition for review DENIED.

4th Dist. Charles J. Tittle, Petitioner
G025027 v.
Div. 3 Orange County Superior Court, Respondent
S077863 Dorothy D. Tittle, Real Party in Interest
Petition for review DENIED.

4th Dist. Jane Doe, Petitioner
G025156 v.
Div. 3 Orange County Superior Court, Respondent
S078339 Placenta-Yorba Linda Unified School District, Real Party in Interest
Petition for review and request for stay DENIED.

5th Dist. Hagop Tookian et al., Appellants

F026375	v.	
S077954	Fresno Imaging Center Medical Group, Respondent	Appellants' petition for review DENIED.
5th Dist.	People, Respondent	
F027176	v.	
S077128	Bobby Eugene Lestourgeon, Appellant	Appellant's petition for review DENIED.
5th Dist.	Lance Le Gault et al., Appellants	
F027661	v.	
S077825	Melvin J. Erickson, Respondent	Petition for review DENIED.
5th Dist.	People, Respondent	
F027798	v.	
S077223	Dale Eugene Johnson, Appellant	Appellant's petition for review DENIED.
	Mosk, J., is of the opinion the petition should be granted.	
5th Dist.	People, Respondent	
F027830	v.	
S077048	Ricardo Zimerle Resendez, Appellant	Appellant's petition for review DENIED.
5th Dist.	People, Respondent	
F028470	v.	
S077885	Jesus Ariel Heredia Camacho, Appellant	Appellant's petition for review DENIED.
5th Dist.	People, Respondent	
F028790	v.	
S077997	Alan Scott Robertson, Appellant	Appellant's petition for review DENIED.
5th Dist.	People, Respondent	
F028850	v.	
S077972	Jacobo Nava Ulloa, Appellant	Appellant's petition for review DENIED.
5th Dist.	In re Charles B., a Person Coming Under the Juvenile Court Law	
F029081	-----	

S077951 People, Respondent
 v.
 Charles B., Appellant
 Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029487 v.
S077897 Brian Lyons, Appellant
 Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029662 v.
S077680 Luis Manuel Hernandez, Appellant
 Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029774 v.
S077679 Margarita Garza-Garcia, Appellant
 Appellant's petition for review DENIED.

5th Dist. F030125 S077807	People, Respondent v. Clarence David McMurray, Appellant Appellant's petition for review DENIED.
5th Dist. F030129 S077958	Clovis Unified School District, Appellant v. Brian Richburg et al., Respondents Respondents' petition for review DENIED. Baxter, J., did not participate.
5th Dist. F030458 S077891	People, Respondent v. Omar Maldonado Valdez, Appellant Appellant's petition for review DENIED.
5th Dist. F030483 S077899	People, Respondent v. Robert Lee January, Appellant Appellant's petition for review DENIED.
5th Dist. F030525 S077446	Thomas J. Musto, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
5th Dist. F030998 S077955	People, Respondent v. Andres Diaz Jr., Appellant Appellant's petition for review DENIED.
6th Dist. H012195 S058027	People, Respondent v. Jose Luis Mendoza et al., Appellants Appellants' petition for review DENIED.
6th Dist. H015994 S077405	People, Respondent v. Israel Jerome Garcia, Appellant Appellant's petition for review DENIED.
6th Dist.	American Eagle Insurance Company in Receivership, Appellant

H016857	v.	
S076959	Inbound Aviation et al., Respondents	
	Appellant's petition for review DENIED.	
6th Dist.	People, Respondent	
H017155	v.	
S077431	Kevin A. Fortwengler et al., Appellants	
	Appellant's petition for review DENIED.	
6th Dist.	People, Respondent	
H017420	v.	
S077538	Marveya Vera, Appellant	
	Appellant's petition for review DENIED.	
6th Dist.	People, Respondent	
H017800	v.	
S077723	Landrick Dickens, Appellant	
	Appellant's petition for review DENIED.	
6th Dist.	People, Respondent	
H018059	v.	
S077593	Robert Daniel Amato, Appellant	
	Appellant's petition for review DENIED.	
6th Dist.	People, Respondent	
H018301	v.	
S077814	Anthony Moreno, Appellant	
	Appellant's petition for review DENIED.	
6th Dist.	People, Respondent	
H018573	v.	
S077867	Willie Anthony Young, Appellant	
	Appellant's petition for review DENIED.	
6th Dist.	Santa Clara Dept. of Family & Children's Services, Respondent	
H019144	v.	
S077907	Margaret C., Appellant	
	Petition for review DENIED.	
6th Dist.	In re Jaime Oropeza	
H019688	on	
S077343	Habeas Corpus	

Petition for review DENIED.

6th Dist. H019694 S077432	Robert Garcia, Petitioner v. Santa Clara County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. The application to produce additional evidence is also denied.
1st Dist. A080174 Div. 1 S076404	Robert Martinez et al., Appellants v. Paula Insurance Company et al., Respondents The request for an order directing publication of the opinion in the above entitled cause is DENIED.
2nd Dist. B055519 Div. 3 S076951	People, Respondent v. Michael S. McDonald, Appellant The request for an order directing publication of the opinion in the above entitled cause is DENIED.
2nd Dist. B102053 Div. 6 S077540	Ronald Feola et al., Cross-Complainants and Appellants v. Mid-Century Insurance Company et al., Cross-Defendants and Respondents The request for an order directing publication of the opinion in the above entitled cause is DENIED.
2nd Dist. B114561 Div. 1 S077225	Robin Walton et al., Appellants . Los Angeles Times et al., Respondents The request for an order directing publication of the opinion in the above entitled cause is DENIED.

2nd Dist. Arthur Tinoco et al., Appellants
B116881 v.
Div. 1 American Hondo Motor Company Incorporated et al., Respondents
S076923 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. In re John N., a Person Coming Under the Juvenile Court Law
B121247 -----
Div. 3 Los Angeles County Dept. of Children & Family Svcs., Respondent
S077158 v.
John N., Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Walter Desmond, as Executor, etc., Respondent
B121425 v.
Div. 3 Heritage Escrow Services of Long Beach et al., Appellants
S078171 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. In re Donovan J., a Person Coming Under the Juvenile Court Law
B121883 -----
Div. 4 Los Angeles County Dept. of Children & Family Svcs., Respondent
S076359 v.
Roy L., Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. In re Raymond V., a Person Coming Under the Juvenile Court Law
B123692 -----
Div. 4 People, Respondent
S076982 v.
Raymond V., Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. John Small, Petitioner
B124102 v.
Div. 7 Workers' Compensation Appeals Board, Respondent
S077374 Los Angeles Unified School District, Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

3rd Dist. Michael L. Belke, Appellant
C028718 v.
S077322 CH Administration Inc., Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

3rd Dist. People, Respondent
C029531 v.
S078372 Feliciano Ramos-Barbosa, Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

3rd Dist. Golden Eagle Insurance Company, Appellant
C029814 v.
S077055 Current Concepts Corporation, Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. People, Respondent
D030652 v.
S077712 David Wayne McIntyre, Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

4th Dist. People, Respondent
E021569 v.
Div. 2 Trell James Mercer, Jr., Appellant
S077276 The request for an order directing further publication of the
opinion in the above entitled cause is DENIED.

4th Dist. In re James Warner Eichorn
G022777 on
Div. 3 Habeas Corpus
S076617 The request for an order directing depublication of the opinion in
the above entitled cause is DENIED.
Baxter, J., is of the opinion review should be granted on the
court's own motion.

6th Dist. Merrill Lynch Private Capital Inc. et al., Respondents
H016539 v.
S077317 Nolan K. Bushnell et al., Appellants
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

5th Dist. People, Respondent
F030787 v.
Ruben Contreras Iniquez, Appellant
The time for granting or denying review on the court's own
motion is hereby extended to and including June 21, 1999, or the
date upon which review is either granted or denied. Rule 28(a)(1),
California Rules of Court.

Orders were filed in the following matters extending the time within
which to grant or deny a petition for review to and including the date indicated, or
until review is either granted or denied:

A076353/S077350 Smith A. Ketchum, III v. John M. Moses - June 14, 1999.

B119355/S077318 Doctor's Medical Laboratory Incorporated v. Kathleen
Connell [Controller State of California] - June 11, 1999.

B120658/S071220 Destinni Ann Mardesich v. California Youthful Offender
Parole Board et al. - June 17, 1999.

B128887/S077323 Kent H. Landsberg v. Workers' Compensation Appeals
Board; Thomas Esparza - June 11, 1999.

- C024192/S077396 East Bay Asian Local Development Corporation et al. v.
State of California - June 14, 1999.
- C028511/S077321 People v. Zebulon Jerome Peterson - June 11, 1999.
- H019559/S077536 Sergio Moya v. Workers' Compensation Appeals Board et al.
- June 16, 1999.

- S022481 People, Respondent
v.
Martin Anthony Navarette, Appellant
On the basis of attorney Jeffrey L. Garland's April 22, 1999,
declaration that he "expect[s] to complete [his] draft of the
substantive portions of the opening brief and forward it to the
California Appellate Project within the next 60 days," the
application of appellant for an extension of time to file appellant's
opening brief is granted to and including June 22, 1999.
Counsel is to notify the court in writing of the date he transmit
the draft of the opening brief to the California Appellate Project.
- S023628 People, Respondent
v.
John Sapp, Appellant
On application of respondent and good cause appearing, it is
ordered that the time to serve and file respondent's brief is extended
to and including July 12, 1999.
- S026700 People, Respondent
v.
Andrew Lamont Brown, Appellant
On application of appellant and good cause appearing, it is
ordered that the time to serve and file appellant's opening brief is
extended to and including July 6, 1999.

S071818 In re Gary Wayne Smith
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including June 7, 1999.

S074261 Barry Johnson, Appellant
 v.
 City of Loma Linda et al., Respondents

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief on the merits is extended to and including May 28, 1999.

S075263 People, Respondent
 v.
 Floyd E. Murphy, Jr., Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 11, 1999.

S075368 In re Antonio Gutierrez
 on
 Habeas Corpus

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including June 7, 1999.

S072583 Adrian Broughton, Jr. et al., Respondents
 v.

CIGNA Healthplans of California et al., Appellants

The application of The California Association of Health Plans for permission to file an amicus curiae brief in support of appellants is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S072583 Adrian Broughton, Jr. et al., Respondents

v.

CIGNA Healthplans of California et al., Appellants

The application of Kaiser Foundation Health Plan, Inc. for permission to file an amicus curiae brief in support of appellants is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S072583 Adrian Broughton, Jr. et al., Respondents

v.

CIGNA Healthplans of California et al., Appellants

The application of the Association of Trial Lawyers of American (ATLA) for permission to file an amicus curiae brief in support of appellants is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S072583 Adrian Broughton, Jr. et al., Respondents

v.

CIGNA Healthplans of California et al., Appellants

The application of Consumer Attorneys of California, Trial Lawyers for Public Justice, and National Association of Consumer Advocates for permission to file an amicus curiae brief in support of appellants is hereby granted.

An answer thereto may be served and filed by any party within twenty days of the filing of the brief.

S078715 Demond Mimms, Petitioner

v.

Fresno County Superior Court, Respondent
People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S073756 In re Attorney Discipline System

In conformance with Rule 963, subdivision (c) of the Rules of Court, and our order of December 3, 1998, appointing Elwood Lui as “special master to supervise and oversee the collection, disbursement, and allocation of fees mandated by rule 963,” the special master has submitted a bill to the court for his reasonable fees and expenses incurred through April 22, 1999, in performing the duties with which he has been charged. (See, *In re Attorney Discipline System* (1998) 19 Cal.4th 582, 623-625.)

Having considered and reviewed the submission from the special master, the court hereby makes the following order:

The State Bar of California shall pay to the Honorable Elwood Lui, special master, the sum of \$100,942.50 for fees and \$6,199.12 for expenses, for a total of \$107,141.62, from the fees collected in the Special Master’s Attorney Discipline Fund.

S054914 In re **Gary Wenkle Smith** on Discipline

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in S054914 (93-C-19799) is lifted, and it is ordered that **Gary Wenkle Smith** be suspended from the practice of law for four years, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including four months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed July 1, 1998. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 1999 and 2000. (Bus. & Prof. Code section 6086.10.)

*(See Business & Professions Code, § 6126, subd. (c).)

S076834 In re **Joseph Michael Tosti** on Discipline

It is ordered that **Joseph Michael Tosti** be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to

standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 70 days. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed October 19, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be payable in accordance with Bus. & Prof. Code section 6140.7.

S076835 In re **Gary Leland Ashton** on Discipline

It is ordered that **Gary Leland Ashton** be suspended from the practice of law for five years, and until he makes the restitution recommended by the State Bar Court in its order regarding stipulation filed June 16, 1998, and until has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for seven years on condition that he be actually suspended for six months. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed June 16, 1998, as modified by its order filed November 2, 1998. It is also ordered that he take and pass the Multistate Professional Responsibility Examination during the period of actual suspension or within one year, whichever period is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and are payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S076836 In re **Edward Arthur Judge** on Discipline

It is hereby ordered that **Edward Arthur Judge** be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S076837 In re **Ronald William Ask** on Discipline

It is ordered that **Ronald William Ask** be suspended from the practice of law for three years, that execution of suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for one year and until he makes restitution to Katherine C. Richards (or the Client Security Fund, if appropriate), in the amount of \$596.50, plus 10% interest per annum from June 14, 1995, as specified in the Order Approving Stipulation filed November 18, 1998; and to Patricia Warfield (or the Client Security Fund, if appropriate), in the amount of \$725.00, plus 10% interest per annum from February 8, 1996, as specified in the Order Approving Stipulation filed November 18, 1998; and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trials Counsels, Los Angeles. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 18, 1998. If the period of actual suspension is two years or greater, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is greater. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar and one-half of said

costs shall be added to and become part of the membership fees for the years 1999 and 2000. (Bus. & Prof. Code section 6086.10.)

*(See Business & Professions Code, § 6126, subd. (c).)

S076838 In re **Lazaro Machado** on Discipline

It is ordered that **Lazaro Machado** be suspended from the practice of law for five years, that execution of suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including nine months actual suspension, recommended by the Hearing Department of the State Bar Court in its order regarding stipulation filed September 24, 1998. If the period of actual suspension is two years or longer exceeds two years he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Bus. & Prof. Code section 6086.10 and shall be payable in accordance with Bus. & Prof. Code section 6140.7, as amended effective January 1, 1997.

*(See Business & Professions Code, § 6126, subd. (c).)

S076839 In re **Creig Alan Dolge** on Discipline

It is ordered that **Creig Alan Dolge** be suspended from the practice of law for three years and until he has shown proof satisfactory to the State Bar Court of rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii). He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order dated September 25, 1998, approving the stipulation filed October 1, 1998. It is also ordered that he comply

with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and shall be paid in accordance with Business and Professions Code section 6140.7.

*(See Business & Professions Code, § 6126, subd. (c).)

S076840 In re **Kenneth Irwin Kahn** on Discipline

It is ordered that **Kenneth Irwin Kahn** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for four years subject to the conditions of probation, including actual suspension for 75 days, recommended by the Hearing Department of the State Bar Court in its order dated September 10, 1998, approving the stipulation filed September 11, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and shall be paid as recommended by the State Bar Court pursuant to its order dated September 10, 1998.

S076978 In re **Clifford R. Weber** on Discipline

It is hereby ordered that **Clifford R. Weber** be summarily disbarred from the practice of law and that his name be stricken from the roll of attorneys. Costs are awarded to the State Bar.

S078464 In the Matter of the Resignation of **Ronald Trevor Sutton**
A Member of the State Bar of California

The voluntary resignation of **Ronald Trevor Sutton** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S078603 In the Matter of the Resignation of **George Edward Weiss**
A Member of the State Bar of California

The voluntary resignation of **George Edward Weiss** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S078604 In the Matter of the Resignation of **James Michael Graham**
A Member of the State Bar of California

The voluntary resignation of **James Michael Graham** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S078626 In the Matter of the Resignation of **Charles Augustus Connors, III**
A Member of the State Bar of California

The voluntary resignation of **Charles Augustus Connors, III** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S078628 In the Matter of the Resignation of **Todd Curtis Gaskill**
A Member of the State Bar of California

The voluntary resignation of **Todd Curtis Gaskill** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

S078629 In the Matter of the Resignation of **Jonathan Louis Small**
A Member of the State Bar of California

The voluntary resignation of **Jonathan Louis Small** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

